

IFW



Practitioner's Docket No. BIN 9

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor application of: Alex A. Behfar

Application No.: 10/802,734

Group No.: 2828

Filed: 03/18/2004

Examiner: James Vannucci

For: High SMSR Unidirectional Etched Lasers and Low Back-Reflection Photonic Device

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

- The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	41	- 30	= 10	x \$ 25.00	= \$	275.00	
INDEP.	4	- 4	= 0	x \$ 0	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	275.00	

Total additional fee for claims required \$275.00

FEE PAYMENT

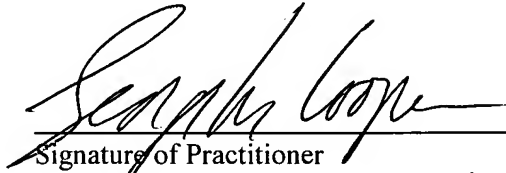
5. Attached is a check in the sum of \$275.00.

FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 10-1213.

Date: November 14, 2005

Reg. No.: 20201
Tel. No.: 703-415-1500
Customer No.: 23294



Signature of Practitioner

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alex A. Behfar, et al.)

Serial Number: 10/802,734

Group No.: 2828

Filed: March 18, 2004

Examiner: James Vannucci

For: High SMSR Unidirectional Etched
Lasers and Low Back-Reflection
Photonic Device

REQUEST TO WITHDRAW PREMATURE FINAL REJECTION
AND
RESPONSE TO OFFICE ACTION

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the finality of the Office Action dated August 18, 2005 be withdrawn as premature. As will be more fully explained in the following Remarks, original, unamended claims 10 -15 were rejected over a newly-found reference. This rejection was not required by any amendment made by Applicants, and accordingly the Final Rejection is premature (see M.P.E.P. 706.07(a), second paragraph).

Responsive to the Office Action dated March 23, 2005, please amend the subject application as indicated in the following listing of the claims.

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